

U.S. APPLICATION NO. 09/832,830
AMENDMENT UNDER 37 C.F.R. § 1.111

REMARKS

Summary Of The Office Action & Formalities

Claims 1-16 are all the claims pending in the application. By this Amendment, Applicant is amending claims 2, 9 and 12, and adding new claims 17-22. No new matter is added.

Applicant thanks the Examiner for acknowledging the claim to foreign priority and for confirming that the certified copy of the priority document was received.

Applicant also thanks the Examiner for initialing the references listed on form PTO-1449 submitted with the Information Disclosure Statement filed on April 12, 2001.

Claims 2 and 9-16 are rejected under 35 U.S.C. § 112, second paragraph, for the reason set forth at page 2 of the Office Action. Applicant is amending the claims to overcome this rejection.

The prior art rejections are summarized as follows:

1. Claims 1, 2 and 8-12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wolf (USP 4,889,303).

Claims 3-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base and any intervening claims.

Claims 13-16 are indicated as being allowable if rewritten to overcome the Section 112 rejections and to include all the limitations of the base and any intervening claims.

Applicant will hold in abeyance the rewriting of claims 3-7 and 13-16 to place these claims in condition for allowance pending a final decision on the rejected base and intervening claims.

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Applicant respectfully traverses the prior art rejections.

Claim Rejections - 35 U.S.C. § 102

1. Claims 1, 2 And 8-12 In View Of Wolf.

In rejecting claims 1, 2 and 8-12 in view of Wolf, the grounds of rejection state that

With regard to Claims 1 and 9, Wolf discloses an interconnection comprising a conductive core (formed by conductors 26) including a metal conductor (26) with, at each end thereof, an electrical connector (34,60), and a flexible tube (10) having at least an insulating layer (22) made of elastomeric material and covering the whole conductive core (formed by conductors 26). The method limitations are deemed inherent. See Figs. 1-2.

The recitation "a medium voltage" has not been given patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a structure and the portion of the claim following the preamble is a self-contained description of the structure not depending for completeness upon the introductory clause. *Kropa V. Robie*, 88 USPQ 478 (CCPA 1951).

The limitation "for realizing an electrical connection between a receiving connector of a first equipment station and a receiving connector of a second equipment station" has not been given patentable weight since it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

The limitations "adapted to electrically connect a receiving connector of a first equipment station and a receiving connector of a second equipment station", and "adapted to mate the receiving connector" have not been given patentable weight since it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchison*, 69 USPQ 138.

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With regard to Claims 2 and 12, Wolf discloses the electrical connector (34,60) having a substantially conical shape of which a base (60) is connected to the metal conductor (26), the base (60) having a diameter relatively larger than the diameter of the metal conductor (26). See Figs. 1-2.

With regard to Claim 8, Wolf discloses the flexible tube (10) having the same length as the conductive core (formed by conductors 26). See Figs. 1-2.

With regard to Claims 10-11, Wolf discloses the elastomeric material being a synthetic terpolymer of ethylene, propylene and diene [EPDM] or silicone. See Lines 50-51.

Office Action at pages 3-4.

Anticipation, under 35 U.S.C. § 102, requires the reference to “teach every aspect of the claimed invention either explicitly or implicitly. Any feature not directly taught must be inherently present.” Manual of Patent Examining Procedure (“MPEP”) § 706.02; see also MPEP § 2131. Applicant respectfully submits that this standard has not been met in the present case.

Applicant’s invention relates to a method for providing a medium voltage interconnection for realizing an electrical connection between a receiving connector of a first equipment station and a receiving connector of a second equipment station. According to the invention, the method comprises the steps of:

-providing an electrical connector (3,4) mating said receiving connector (19) at each end of a metal conductor (2), said metal conductor with its two connectors forming a conductive core (1);

-providing a flexible tube (11) made of at least an insulating layer (13) of elastomeric material;

-expanding radially said flexible tube and sliding therein said conductive core; and

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-releasing said flexible tube over said conductive core.

Wolf, on the other hand, relates to a flexible arm retainer device adapted to hold microphones.

In the embodiment illustrated in figure 6, the flexible arm comprises conductive metal strands 76 surrounded by a housing 20 made from e.g. rubber or synthetic plastics (see col. 3, l. 50-52). A female connection member 12 is mounted at one end of this flexible arm, and a male connection member 16 is mounted at the second end of this flexible arm. In this way, the flexible arm not only holds the object, but also provides its electrical connection to, e.g., a power supply.

This document does not at all relate to medium voltage interconnections. Besides, the way the insulating housing 20 is installed on the shaft 10 comprising the metal strands 76 is not described at all, and there is no basis in the prior art to allege that the method or product-by-process limitations are deemed inherent.

An important characteristic of the present invention lies in the provision of an expanded flexible tube that is released over the conductive core, thus enabling the efficient manufacture of interconnections having different lengths without any significant additional costs. This important characteristic is neither disclosed nor suggested in Wolf.

In view of at least the foregoing distinctions, the Examiner is kindly requested to reconsider and withdraw the rejection of claims 1 and 19. Claims 2 and 8-12 are believed to be allowable at least by reason of their respective dependencies.

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New Claims

For additional claim coverage merited by the scope of the invention, Applicants are adding new claims 17-22. Claim 17 is believed to be allowable for reasons similar to those set forth above in support of claim 1. Additionally, claim 17 specifically requires “expanding said flexible tube and relatively sliding said conductive core, including at least said first electrical connector, inside said expanded flexible tube” Therefore, even if, assuming for the sake of argument alone, Wolf disclosed “expanding radially said flexible tube and sliding therein said conductive core” as recited in claim 1 (and Applicant maintains that the reference does not make this disclosure), clearly, the layer 22 in Wolf does not cover the electrical connectors. Claims 18-22 are also believed to be allowable at least by reason of their respective dependencies. Also, with respect to claim 20, clearly Wolf does not disclose the orientation of the conical shaped connector.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant is submitting herewith an Excess Claim Fee Payment Letter with fee.

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Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

Claim 2. (Amended) Method according to claim 1, further comprising the steps of:

- providing said electrical connector with a substantially conical shape having a base with

[of which the base has] a diameter relatively larger than [the] a diameter of said metal conductor,
and

- connecting said base to an end of said metal conductor.

Claim 9. (Amended) [Medium] A medium voltage interconnection, [said interconnection
being made according to claim 1 and] adapted to electrically connect a receiving connector of a
first equipment station and a receiving connector of a second equipment station, said
interconnection comprising a conductive core including a metal conductor with, at each end
thereof, an electrical connector adapted to mate said receiving connector, and a flexible tube
having at least an insulating layer made of elastomeric material and covering the whole
conductive core; and

wherein said flexible tube is placed over said conductive core by radially expanding said
flexible tube, relatively sliding said conductive inside said flexible tube, and releasing said
flexible tube over said conductive core.

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Claim 12. (Amended) Medium voltage interconnection according to claim 9, wherein said electrical connector has a substantially conical shape having a base [of which the base is] connected to said metal conductor, said base having a diameter relatively larger than [the] a diameter of said metal conductor.

Claims 17-22 are added as new claims.